

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

GEORGE C. ROBINSON; and  
ELIZABETH C. ROBINSON

PLAINTIFF

v.

Civil No. 02-2282

OPTION ONE MORTGAGE CORP.

DEFENDANT

**REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE**

On February 5, 2014, a notice of appeal (Doc. 46) was filed by George C. Robinson, et al. Plaintiff George C. Robinson has now filed a motion to appeal *in forma pauperis* (IFP)(Doc. 55). The motion has been referred to me.

Upon review of the application, I note that Plaintiff has a substantial number of assets although it appears many are encumbered by loans. However, he indicates he has two homes, four cars, and art work the value of which he states is unknown. Further, he has a substantial monthly net income of \$6,355. When all his monthly payments and expenses are subtracted, he still has a monthly disposable income of \$1098.

For this reason, I recommend that the motion to proceed IFP (Doc. 55) be denied and Plaintiff directed to pay the appellate filing fee of \$505.

**The parties have fourteen (14) days from receipt of the report and recommendation in which to file written objections pursuant to 28 U.S.C. § 636(b)(1). The failure to file timely objections may result in waiver of the right to appeal questions of fact. The parties are reminded that objections must be both timely and specific to trigger de novo review by the district court.**

**DATED this 26th day of February 2014.**

/s/ *J. Marschewski*

HON. JAMES R. MARSCHEWSKI  
CHIEF UNITED STATES MAGISTRATE JUDGE